

REMARKS

The present amendment is responsive to the Official Action dated April 9, 2004. All rejections of the Examiner are respectfully traversed. Reconsideration of the application in view of the amendments and following remarks is respectfully requested.

Following entry of the present amendment claims 4, 7 - 24, and 26 - 33 remain pending.

Claim 26 is independent. Claim 26 has been amended to incorporate the limitation of claim 3.

Dependent claim 4 has been amended.

Dependent claims 32 and 33 have been added.

Claims 3, 5 and 6 have been cancelled.

The undersigned desires to make of record a telephone discussion with the Examiner on or about May 18, 2004 during which the pending claims and the cited art was discussed. During the telephone discussion, the Examiner brought to the attention of the Applicant U.S. Patents 5,375,165, 5,581,593 and 5,815,153. No Agreement was reached.

Additionally, the undersigned desires to make of record a telephone discussion with the Examiner on July 15, 2004 during which the Applicant proposed amendments to the claims. The

Examiner suggested that the proposed amendments be filed for consideration. No Agreement was reached.

The pending claims were rejected as anticipated by U.S. Patent 4,503,288 to Kessler. The Applicant respectfully submits that Kessler does not disclose or suggest the subject matter recited in claim 26. More specifically, Kessler does not map individual alphanumeric characters to specific dial tones. As described at col. 19, ll. 36-55, Kessler maps 1 to 6 character names to entire phone numbers. Thus, Kessler, does not disclose or suggest the mapping individual letters and numbers to specific dial tones as disclosed and claimed by the Applicant.

During the above referenced telephone interview in May 2004, the Examiner brought the Isensee et al. ("Isensee") patent to the attention of the Applicant and more specifically, col. 3, ll. 37-44 of the Isensee et al. patent. The Applicant respectfully submits that claim 26 as amended, patentably distinguishes over Isensee.

More specifically, present claim 26 calls for:

said control circuitry being operative to detect an off hook condition and a call connection involving a telephone device coupled to said telephone line and to automatically enter the second operating mode when said telephone device connected to said telephone line is in said off hook condition and no connection to the telephone line has been established, and the control circuitry being operative to automatically enter the

first operating mode when the telephone device is in an off-hook condition and a connection to said telephone line has been established.

Isensee provides no disclosure or suggestion of a system that maps alphanumeric characters to data characters in a first operating mode, that maps alphanumeric characters into dialing signals in a second operating mode and that automatically switches between the two modes as claimed. More specifically, Isensee provides no disclosure or suggestion of the automatic entry of the second operating mode in response to the detection of an off hook condition for an associated telephone at a time when the associated telephone has not completed a call connection and Isensee provides no disclosure or suggestion of the automatic entry of the first operating mode when the control circuitry detects an off hook condition for the associated telephone and a call connection for such telephone.

In the official action dated April 9, 2004, the Examiner cited col. 2, ll. 49-55 and col. 10, ll. 18-35 of Kessler as teaching automatic entry of the respective operating modes (Official Action, p.3).

The Applicant respectfully submits that the first cited passage of Kessler provides no teaching or suggestion of automatically switching between a first operating mode in which

the control circuitry outputs data characters onto the telephone line and a second operating mode in which the control circuitry outputs dialing signals onto the telephone line. As stated in Kessler:

Fig. 1 shows the keyboard terminal 10 of the present invention. A keyboard terminal 10 includes a hand set phone unit 12 which is coupled to a keyboard terminal 10 by a flexible cord 14. The hand set phone unit 12 permits use of the keyboard terminal 10 in what may be referred to as the typical "Ma-Bell" telephone operating mode.

(Col. 2, ll. 49-55). No mention of automatic switching between operating modes is provided, let alone upon the conditions set forth in present claim 26.

The second cited passage of Kessler also fails to disclose or suggest automatic switching between a first mode in which the keyboard outputs a data character onto the telephone line in response to each keypress and a second mode in which the keyboard outputs a dialing signal onto the telephone line in response to each keypress.

It is noted that at col. 10, Kessler describes that a name consisting of 1-6 characters can be entered and stored in association with a complete telephone number. Instead of dialing individual numbers, the name can be typed in and when the user pressed "s" for send, the stored telephone number corresponding to

that name is transmitted. This operation does not correspond to that disclosed and claimed by applicant. In Applicant's claimed invention, each keypress in the second operating mode results in the transission of a single dialing signal that corresponds to the dialing signal to which it is mapped. In Kessler, in response to the pressing of the "S" key, an entire telephone number is transmitted. Moreover, Kessler provides no teaching or suggestion of the automatic switching in response to the detection of the off-hook and call connection signals as claimed. Thus, the switching of modes in Kessler occurs in response to the manual intervention of the user in pressing the "S" key and not automatically in response to the detection of off-hook and call connection states. Consequently, neither Kessler or Isensee disclose or suggest automatic switching between the first and second operating states as claimed.

In view of the above, the applicant respectfully maintains that present claim 26 is allowable over Isensee, Kessler and the other art of record, alone or in combination. For as least the reasons discussed with respect to claim 26, the applicant also submits that all dependent claims are allowable over the art of record.

Additionally, claim 33 depends upon claim 26 and calls for each dialing signal that is generated in response to the activation of each of the first and second plurality of keys to comprise a unique dialing signal. Unlike conventional dialing apparatus that uses a standard DTMF tone set the presently claimed subject matter relates to an expanded set of dialing signals. It is noted that in standard telephone usage, a single key on the keypad produces the same dialing signal for the number "2" key as well as the letters, "A", "B" and "C". As set forth in claim 32 each alphanumeric character produces a unique dialing signal. This expanded dialing signal set is neither disclosed nor suggested in the art of record.

Additionally, claim 33 depends from claim 32 and specifies that each dialing signal comprises a tone having multiple frequencies. Once again, the art of record does not disclose or suggest an expanded set of dialing signals in which each alphanumeric character produces a unique mult-frequency tone.

In view of the foregoing, the Applicant believes that all present claims are in condition for allowance and the allowance of all claims is respectfully requested.

Application No. 09/694,975

Filed: October 24, 2000

TC Art Unit: 2643

Confirmation No.: 1367

The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

AVI NELSON

By: 

Victor B. Lebovici

Registration No. 30,864

Attorney for Applicant

WEINGARTEN, SCHURGIN,
GAGNEBIN & LEOVICI LLP
Ten Post Office Square
Boston, MA 02109
Telephone: (617) 542-2290
Telecopier: (617) 451-0313

308644